

TOWN OF NEWSTEAD - PLANNING BOARD MINUTES

May 16, 2005

PRESENT: Tom Cowan, Chairman
Rick Meahl
Andy Kelkenberg
John Potera
Don Hoefler
Terry Janicz
John Olaf
Christine Falkowski, Planning Board Clerk
Rebecca Baker, Assessor/Zoning Officer

The Planning Board meeting was called to order by Tom Cowan at 7:30PM

Minor Subdivision Application (1) Lot

James Kidder – Ayers Road

Mr. & Mrs. Kidder attended. They wish to split off a 150' x 300' piece from a six-acre parcel, leaving an L-shaped 5-acre parcel. The boundary and drainage survey reveals a ditch that runs south to north. Mr. Kidder indicated it is a man-made ditch from many years ago, and that he would like to fill it in. Andrew Casolini entered the meeting, and stated that the ditch must serve a purpose and that one cannot alter the natural flow of water. The lot will be sold to Kevin Stoldt of CMK Builders. The Lateral Restriction Policy does apply as this property is just west of the 5,000' radius from County Line Stone. The Hardship Application will be forwarded to Kevin Stoldt for water district #5.

John P. motioned to approve the subdivision, seconded by Terry as follows:

- (1) Pending Building Department receipt of an amended drainage plan showing shared swales at the north and south property lines.
- (2) Contingent upon the ditch being maintained.

Tom Cowan	- Aye
John Potera	- Aye
Don Hoefler	- Aye
Terry Janicz	- Aye
Andy Kelkenberg	- Aye
John Olaf	- Aye
Rick Meahl	- Aye

Akron Airport expansion – (1) 3,600 SF hangar

John Randall

The Town Board discussed this at work session tonight and determined that an expansion of a non-conforming use in the RA zone is not allowed. Therefore, Mr. Randall can apply for a variance through the Zoning Board of Appeals.

Proposed Pond – 7767 Berghorn Road

Andrew Bower

Rick reported that there has been much excavation already. Don Hoefler, Engineer for the project, stated that the reason Mr. Bower wants a berm around the pond is so that he can drive around it. He intends to build up the property so that he can have a basement upon approval of a LOMA from the DEC. Don stated that he could comply with Wendel's request per the memo dated 5/6/05 and forward a revised pond grading plan and letter outlining the revisions to the Building Department.

Site Plan Application – Kelly Schultz (discussion only)

Mr. Schultz stopped by the Building Department last week and stated that he is ready to put up a 4,800 SF building as indicated on his Master Plan from 1999, but in a different location. Today, Mr. Schultz had delivered a 2005 Master Plan showing the proposed location and the existing location of the WNY Event Center. The purpose is for storage part of the year, and seasonal public assembly. There will be no signage, landscaping or parking. The building will be constructed of hemlock, siding, and have a porch. As the size is under 5,000 SF, stormwater is not required, although the site plan will be reviewed by the Town Engineer. Setback must be checked, and it must be referred to Erie County Planning for comment within 30 days. When this project makes formal site plan application, the Planning Board is the recommending body to the Town Board for approval.

Old Business

Minutes Review

John P. motioned to approve the minutes of May 2, 2005, seconded by John O.:

- Tom Cowan - Aye
- John Potera - Aye
- Don Hoefler - Aye
- Terry Janicz - Aye
- John Olaf - Aye
- Rick Meahl - Aye
- Andy Kelkenberg - Aye

Special Use Permits in RA Zone for Home Based Businesses

The April 4th memo of recommendations went to the Town Board, which they will address at their next work session in two weeks.

Flaglots

The Town Board will consider allowing flaglots for existing parcels lacking sufficient frontage for a building lot, and allow only one house. The purposeful creation of a flaglot will not be allowed. The Planning Board would like to meet with the Town Board at their work session in two weeks before final decisions are made.

- Next Agenda deadline: Friday, May 27, 2005**
- Next Agenda meeting: Thursday, June 2, 2005**
- Next PB meeting: Monday, June 6, 2005**

John P. made a motion to adjourn the meeting at 9:10PM, seconded by Andy and all approved.

Respectfully submitted,

Christine Falkowski
Recording Secretary